IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1067 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 19/01/2004 in WP NO : 18628 OF 2003 on the file of the High Court.)

Between:

S.N. Jayaram S/o. S.P. Narayana Swamy
R/o. Vesalamma Temple Street, Tirupathi, Chittoor District.

..... APPELLANT

AND

1 The Commissioner of Endowments, A.P. Boggulakunta, Tilak Road, Hyd.
2 The Administrative Officer, Sri Swamy Hathiramji Math, Tirupathi, Chittoor District.

.....RESPONDENTS

Counsel for the Appellant: MR.T.BALAJI

Counsel for the Respondent No.1: GP FOR ENDOWMENTS

The Court made the following :

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ORAL JUDGMENT (Per Hon'ble the Chief Justice)

Petitioner's claim for allotment of land on the basis that he was a landless poor agriculturist was negatived by the learned single Judge on the ground that by order dated 10th September, 1997 the Deputy Commissioner held the petitioner/appellant as an encroacher and ordered his eviction. Learned single Judge also noticed the fact that the petitioner's father was a tenant but he ceased to be tenant. Subsequently the petitioner/appellant appears to have encroached upon the land. Criminal Case was also launched against him. He was never an authorised tenant. Under these circumstances, merely the Criminal Case has been ended in acquittal, it will not entitle the petitioner/appellant to claim any right for being allotted any land under Section 82 of the Andhra Pradesh Charitable & Hindu Religious Institutions and Endowments Act, 2002.

We find no merit in the appeal. Accordingly it is dismissed. No costs.

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DEVINDER GUPTA, C.J.

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C.V. RAMULU, J.

Dt.21-7-2004

KVRK

To

1 The Commissioner of Endowments, A.P. Boggulakunta, Tilak Road, Hyd.
2 The Administrative Officer, Sri Swamy Hathiramji Math, Tirupathi, Chittoor District.

3. Two CCs to GP for Endowments, High Court of A.P(OUT).

4. Two CD copies.